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IN THE

Supreme Court of the United States

SANTA FE INDEPENDENT SCHOOL DISTRICT,

Petitioner,

v.

JANE DOE, Individually and as next of friend for her Minor Children, Jane and John Doe, Minor Children; and, JANE DOE #2, Individually and as next of friend for her Minor Child, John Doe, Minor Child, and John Doe, Individually,

Respondents.

ON WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

BRIEF OF *AMICUS CURIAE* THE TEXAS ASSOCIATION OF SCHOOL BOARDS LEGAL ASSISTANCE FUND IN SUPPORT OF PETITIONER

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The Texas Association of School Boards Legal Assistance Fund ("TASB LAF") respectfully submits this brief as *amicus curiae* in support of Petitioner Santa Fe Independent School District.[1]

INTEREST OF AMICUS

Nearly 750 public school districts in Texas are members of the TASB LAF, which advocates the positions of local school districts in litigation with potential state-wide impact.[2] The TASB LAF is governed by three organizations: the TASB, the Texas Association of School Administrators, and the Texas Council of Schools Attorneys.

The TASB is a non-profit unincorporated association of the public school districts of the State of Texas. Approximately 1,047 public school districts in the state, through their elected boards of trustees, have joined as members of TASB. The members of TASB are responsible for the governance of the public schools of Texas. *See* TEX. EDUC. CODE § 11.151(b) & (d).

The Texas Association of School Administrators represents the state's school superintendents and other administrators who are responsible for carrying out the education policies adopted by their local boards of trustees.

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1. The TASB LAF has received the consent of Petitioner Santa Fe Independent School District and Respondents Jane Doe and Jane Doe #2. The written consents of both parties are being filed herewith. Neither party authored this brief, in whole or part, or paid any of the costs of producing it.

2. See Appendix A for a list of participating school districts.

The Texas Council of School Attorneys is comprised of attorneys who represent more than ninety-percent of the public school districts in Texas.

The TASB Legal Assistance Fund urges this Court to reverse the decision of the court below. The Fifth Circuit's decision is too far-reaching in its condemnation of student-initiated, student-led, nonsectarian, nonproselytizing prayer at high school football games. TASB LAF maintains that a pre-game prayer policy modeled after the high school graduation Resolution upheld in *Jones v. Clear Creek Independent School District*, 977 F.2d 963 (5th Cir. 1992), *cert. denied*, 508 U.S. 967 (1993), does not offend Establishment Clause protections.

SUMMARY OF ARGUMENT

A conflict has been raging in the public schools for more than a decade concerning the extent to which prayer can be permitted during certain school-related activities without running afoul of the Establishment Clause and its protections against state-sponsored religion. School districts, unfortunately, have been caught in the crossfire of two opposing camps: those who seek to freely exercise their religious beliefs in school-sponsored venues and those who seek to eradicate religious expression entirely.

In the face of such controversy, many school districts have had no choice but to develop and implement "prayer" policies that seek to achieve some balance between the competing interests. The Fifth Circuit Court of Appeals approved of one such policy in *Jones v. Clear Creek Independent School District*, 977 F.2d 963 (5th Cir. 1992), *cert. denied*, 508 U.S. 967 (1993) ("*Clear Creek II*"). In that

decision, the court upheld a policy permitting the inclusion of student-led, student-initiated invocations or benedictions in high school graduation ceremonies, so long as the prayer is both nonsectarian and nonproselytizing in nature.[3] The Fifth Circuit's decision in *Clear Creek II* has since served as a reference point for school boards across the country in their efforts to afford those who wish to pray during school-sponsored events the opportunity to do so in a manner that does not offend the Establishment Clause.

In an apparent attempt to take the Santa Fe Independent School District to task for attempting to eliminate the "nonsectarian, nonproselytizing" element from its prayer policies, the Fifth Circuit's decision below unduly restricts the holding and analysis in *Clear Creek II* to high school graduation ceremonies. For the reasons set forth below, *amicus curiae* urges this Court to reverse, at a minimum, that portion of the Fifth Circuit's decision holding that a *Clear Creek*-type policy cannot be extended to high school football games. Specifically, the Fifth Circuit's decision erroneously concludes that a *Clear Creek*-type prayer policy

3. The Resolution at issue in *Clear Creek II* provided as follows:

> 1. The use of an invocation and/or benediction at high school graduation exercise shall rest within the discretion of the graduating senior class, with the advice and counsel of the senior class principal;
>
> 2. The invocation and benediction, if used, shall be given by a student volunteer; and,
>
> 3. Consistent with the principle of equal liberty of conscience, the invocation and benediction shall be nonsectarian and nonproselytizing in nature.

cannot exist "outside [the] nurturing context [of a graduation ceremony]." In reaching this conclusion, the Fifth Circuit failed to consider the unique context in which pre-game prayer occurs and whether the same type of considerations that justify prayer at graduation ceremonies may also be present in the context of high school football games. Additionally, the court below failed to analyze the Santa Fe "fall-back" football prayer policy under the three Establishment Clause tests enunciated by this Court in *Lemon v. Kurtzman*, 403 U.S. 602 (1971), *Lee v. Weisman*, 505 U.S. 577 (1992), and *County of Allegheny v. ACLU*, 492 U.S. 573 (1989).[4]

ARGUMENT

I. High school football games are not inherently different in context and nature than high school graduation ceremonies.

The Fifth Circuit erroneously concluded, in summary fashion, that Santa Fe's "fall-back" policy does not pass constitutional muster because a football game is inherently different in context and nature from a graduation ceremony. In so holding, the court below failed to recognize the unique place that high school football occupies in the fabric of numerous communities across the country. In particular, the

4. Consistent with the *Clear Creek* Resolution, Santa Fe's so-called "fall-back" football policy provides for a student-initiated, student-led "brief invocation and/or message" of a nonsectarian and nonproselytizing nature "to be delivered during the pre-game ceremonies of home varsity football games to solemnize the event, to promote good sportsmanship and student safety, and to establish the appropriate environment for the competition." *Doe v. Santa Fe Indep. Sch. Dist.*, 168 F.3d 806, 812 (5th Cir. 1999).

Fifth Circuit overlooked the fact that, for many citizens, the "Friday night lights" of high school football are an "integral part of what [makes] the community strong." H.G. Bissinger, *Friday Night Lights: A Town, a Team, and a Dream*, p. 43 (1990).[5]

5. The role that high school football occupies in the "psyche" of many communities is chronicled in H.G. Bissinger's account of the 1988 season of the Odessa, Texas Permian Panthers in *Friday Night Lights* (1990).

> In the absence of a shimmering skyline, the Odessas of the country had all found something similar in which to place their faith. In Indiana, it was the plink-plink-plink of a ball on a parquet floor. In Ohio and Pennsylvania and Alabama and Georgia and Texas and dozens of other states, it was the weekly event simply known as Friday night. . . . From the twenties through the eighties, whatever else there hadn't been in Odessa, there had always been high school football.

Id. at 35.

> There were certain events in Odessa that had become time-honored traditions, essential elements in the biological clock of the town. There was the annual downtown Christmas tree-lighting ceremony sponsored by the banks. . . . There was the biennial Oil Show. . . . And, of course, in late August, there was the Permian [football] booster club's Watermelon Feed, when excitement and madness went quickly into high gear. . . . [T]he boys of Permian would come before the crowd one by one so they could be checked out and introduced. And after that, in less than two weeks, would come the glorious start of the season on the first Friday night in September.

Id. at 37-38.

Contrary to what the Fifth Circuit concluded, the "context" and "nature" of a high school football game are, in fact, very similar to that of a high school graduation ceremony in a number of important respects. First, a high school football game — like a graduation ceremony — can take on all of the trappings of a major community-wide social event, complete with the kind of attendance that is reserved for other special or "rite of passage" occurrences. Second, a high school football game affords student participants (*e.g.*, athletes, band members, cheerleaders, the pep squad) the opportunity for public recognition and support that would not otherwise be available to them. And, third, a high school football game, and all of the activity that surrounds the game, can serve as the very embodiment of a community's civic pride.

> [Football] is a game, an extracurricular activity, a community bond, the state religion, the biggest show in town every Friday night in the fall, a character builder, a revered symbol, an inspirational rallying point that offers a rare moment — more like 48 minutes — in which all races, religions, and economic strata put aside their differences to get behind the home team, a traffic generator for the local Dairy Queen, and topic A in coffee shops from Roscoe . . . to Itasca.

"Three Cheers for High School Football," *Texas Monthly Magazine*, p. 111, Oct. 1999.

Given the similarities between their context and nature, the Fifth Circuit clearly erred in holding that a *Clear Creek*-type policy cannot be extended from graduation ceremonies to high school football games. Indeed, in view of the

importance that high school football serves in the life of a community, "people should not be surprised to find the event affected by community standards." *Clear Creek II*, 977 F.2d at 972.

II. A policy permitting student-initiated, student-led, nonproselytizing, nonsectarian prayer at high school football games withstands constitutional scrutiny under this Court's Establishment Clause tests.

The Fifth Circuit failed to evaluate Santa Fe's "fall-back" policy under this Court's Establishment Clause tests, instead declaring in a conclusory fashion that football games are "hardly the sober type of event that can be appropriately solemnized with prayer." Had the Fifth Circuit undertaken such analysis, Santa Fe's "fall-back" policy would have been found to survive constitutional scrutiny under the tests announced by this Court in *Lemon v. Kurtzman*, 403 U.S. 602 (1971), *Lee v. Weisman*, 505 U.S. 477 (1992), and *County of Allegheny v. ACLU*, 492 U.S. 573 (1989).

A. The *Lemon* Test.

Santa Fe's "fall-back" policy articulates three secular purposes for the inclusion of a pre-game prayer or invocation: (1) solemnization; (2) promotion of good sportsmanship and student safety; and, (3) establishment of the appropriate environment for the competition. Although the court below did not apply the *Lemon* test to Santa Fe's football policy specifically, the Fifth Circuit, nevertheless, questioned whether a football game is the type of event that can be solemnized with a prayer.

While, admittedly, a football game is not, in all things, the same "sober" event that a graduation ceremony is, the

Fifth Circuit's opinion discounts the importance of injecting a sobering influence into what is otherwise an emotional and often violent affair. Indeed, that is the very purpose of a pregame invocation: to cause all of those in attendance, spectators and participants alike, to pause in recognition of the need for civility in their endeavors.

Santa Fe's "fall-back" policy satisfies the effect and endorsement prongs of the *Lemon* test, as well. Unlike the prayer policies at issue in *Jager v. Douglas County Sch. Dist.*, 862 F.2d 824 (11th Cir. 1989), and *Doe v. Duncanville*, 70 F.3d 402 (5th Cir. 1995), the Santa Fe policy does not provide for inherently-religious invocations or prayers. The "fall-back" policy's requirements that a pre-game invocation be (1) "student initiated," (2) "student led," *and* (3) "nonsectarian and nonproselytizing" protect against the conveyance of any religious message that is either endorsed or disapproved of by the School District. *See Clear Creek II*, 977 F.2d at 967 (a policy "can only advance religion by increasing religious conviction . . . , which means attracting new believers or increasing the faith of the faithful").

B. *Lee's* "Coercion" Test.

In *Lee*, this Court defined unconstitutional coercion as (1) government direction (2) of a formal religious exercise (3) that obliges the participation of objectors. *See* 505 U.S. at 591-94. Employing this analysis, Santa Fe's "fall-back" policy does not implicate any of the elements of coercive effect. First, the District's policy does not serve to "direct" religious activity as defined by *Lee* because the District is not determining whether an invocation will occur; the District is not selecting a religious participant (*e.g.*, a rabbi or priest); and, the District does not direct the specific content of the prayer. *See id.*

Second, Santa Fe's "fall-back" policy does not implicate formal religious observance of any kind. To the contrary, like the Resolution at issue in *Clear Creek II*, the "fall-back" policy "tolerates nonsectarian, nonproselytizing prayer, but does not require or favor it." *See Clear Creek II*, 977 F.2d at 971.

Finally, Santa Fe's "fall-back" policy does not oblige participation. Those students who choose to attend a particular football game will not be subject to the psychological pressure that was placed on the middle school graduation attendees in *Lee* because the Santa Fe students "*after having participated in the decision of whether prayers will be given*, are aware that any prayers represent the will of their peers, who are less able to coerce participation than an authority figure from the state or clergy." *See id.* at 971 (emphasis in original). Moreover, because the Santa Fe students who are affected by the football policy are of high school age (rather than middle school), they are "mature enough and are likely to understand" the difference between state sponsorship of religion and a peer's symbolic nonsectarian, nonproselytizing speech. *See Board of Educ. of Westside Community Sch. v. Mergens*, 496 U.S. 226, 250 (1990) (recognizing that "secondary school students are mature enough and are likely to understand that a school does not endorse or support student speech that it merely permits on a nondiscriminatory basis").

C. The "Endorsement" Test.

Similar in nature to *Lemon's* "effect" prong, the endorsement test analyzes the effect of a challenged governmental action to determine whether "a reasonable person would view the challenged . . . action as a disapproval

of her contrary religious choices." *Allegheny*, 492 U.S. at 631 (O'Connor, J., concurring).

Unlike the policy at issue in *Lee*, the Santa Fe "fall-back" policy does not mandate the delivery of a pre-game prayer or invocation; rather, the policy permits the inclusion of a nonsectarian, proselytizing "statement or invocation" in pre-game ceremonies, should the student body so determine by election. Moreover, the "fall-back" policy is passive in terms of government direction or involvement to the extent that the student body, rather than school officials, serves as the genesis of the invocation. After participating in an election to determine whether an invocation or statement will be included in pre-game ceremonies, the high-school aged students of Santa Fe who are affected by the District's football policy are not likely to "perceive any more government endorsement of religion . . . than do students in Westside Community schools who are regularly recruited during school hours to join a Christian club." *See Clear Creek II*, 977 F.2d at 969 (referring to *Mergens, supra*). Once again, the age of the students at issue and the voluntary, non-compulsory nature of the activity in which the pre-game prayer or invocation will be delivered also serve to diminish the likelihood that students will perceive an endorsement of religion or religious activity on the part of Santa Fe Independent School District.

III. A *Clear Creek*-type football policy balances the competing directives of the Free Exercise and the Establishment Clauses.

In the end, a *Clear Creek*-type football policy provides a reasonable means of balancing the complementary, yet competing, directives of the Free Exercise and Establishment

Clauses. On the one hand, a *Clear Creek*-type policy affords students an opportunity to engage in a form of religious — or nonreligious — expression during a community-wide sporting event, without direct government involvement or control. On the other hand, a *Clear Creek*-type policy serves to guard against the risk of concerted religious promotion by requiring that any pre-game invocation and/or message be nonsectarian and nonproselytizing in nature. At bottom, the simple precepts of a *Clear Creek*-type policy can be readily followed, for they strike not only a constitutional balance but a commonsensible one as well.

CONCLUSION

Public schools are continuously challenged to accommodate the interests of the communities that they serve while, at the same time, ensuring that the constitutional rights of all students are protected. As such, they must frequently strike a balance between competing constitutional concerns. In an effort to achieve such a balance in student religious expression at school-sponsored events, many have adopted a policy similar to Santa Fe's "fall-back" football prayer policy, believing it to be a logical extension of the graduation prayer policy endorsed by the Fifth Circuit in *Clear Creek II*. By its disapproval of the extension of *Clear Creek II*, the panel in *Doe v. Santa Fe* has deprived school districts of a legally sound, middle ground approach to a thorny societal and constitutional dilemma. *Amicus curiae* asks this Court to, at a minimum, reverse that portion of the opinion below in order to enable school districts to utilize this important balancing device.

Respectfully submitted,

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APPENDIX

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TEXAS ASSOCIATION OF SCHOOL BOARDS LEGAL ASSISTANCE FUND PARTICIPATING SCHOOL DISTRICTS

Academy ISD, Agua Dulce ISD, Alamo Heights ISD, Alba-Golden ISD, Albany ISD, Aldine ISD, Aledo ISD, Alice ISD, Alief ISD, Allen ISD, Alpine ISD, Alto ISD, Alvarado ISD, Alvin ISD, Amarillo ISD, Anahuac ISD, Anderson-Shiro CISD, Angleton ISD, Anson ISD, Anthony ISD, Aquilla ISD, Aransas County ISD, Aransas Pass ISD, Argyle ISD, Arlington ISD, Aspermont ISD, Athens ISD, Atlanta ISD, Austin ISD, Austin ISD, Avery ISD, Axtell ISD, Baird ISD, Ballinger ISD, Balmorhea ISD, Bandera ISD, Bangs ISD, Banquete ISD, Bartlett ISD, Bastrop ISD, Bay City ISD, Bay City ISD, Beeville ISD, Bellevue ISD, Bellville ISD, Belton ISD, Ben Bolt-Palito Blanco ISD, Benavides ISD, Big Sandy ISD-Polk County, Big Sandy ISD-Upshur County, Birdville ISD, Bishop CISD, Blackwell CISD, Bland ISD, Blanket ISD, Bloomington ISD, Blum ISD, Boerne ISD, Boles ISD, Boling ISD, Booker ISD, Borden County ISD, Bosqueville ISD, Bovina ISD, Bowie ISD, Boys Ranch ISD, Brackett ISD, Brady ISD, Brazos ISD, Brazosport ISD, Breckenridge ISD, Bremond ISD, Brenham ISD, Bridge City ISD, Bridgeport ISD, Broaddus ISD, Brock ISD, Bronte ISD, Brookeland ISD, Brownsboro ISD, Brownwood ISD, Bruceville-Eddy ISD, Bryson ISD, Buffalo ISD, Bullard ISD, Buna ISD, Burkburnett ISD, Burkeville ISD, Burleson ISD, Burnet CISD, Burton ISD, Bushland ISD, Bynum ISD, Caddo Mills ISD, Calallen ISD, Caldwell ISD, Calhoun County ISD, Callisburg ISD, Callisburg ISD, Calvert ISD, Cameron ISD, Campbell ISD, Canadian ISD, Canutillo ISD, Canyon ISD, Carrizo Springs CISD, Carroll

ISD, Carrollton-Farmers Branch ISD, Carthage ISD, Castleberry ISD, Celeste ISD, Celina ISD, Center Point ISD, Centerville ISD-Leon County, Centerville ISD-Trinity County, Central ISD, Channelview ISD, Channing ISD, Chapel Hill ISD-Smith County, Cherokee ISD, Chico ISD, Childress ISD, Chilton ISD, Chireno ISD, Christoval ISD, City View ISD, Clarendon CISD, Claude ISD, Cleburne ISD, Clifton ISD, Clint ISD, Clyde CISD, Clyde CISD, Coahoma ISD, Coleman ISD, Collinsville ISD, Colorado ISD, Columbia-Brazoria ISD, Columbus ISD, Comal ISD, Comfort ISD, Como-Pickton CISD, Comstock ISD, Connally ISD, Conroe ISD, Coolidge ISD, Cooper ISD, Coppell ISD, Copperas Cove ISD, Corpus Christi ISD, Corrigan-Camden ISD, Corsicana ISD, Cotulla ISD, Crandall ISD, Crane ISD, Crockett County Consolidated CSD, Crosby ISD, Crosbyton ISD, Crosbyton ISD, Crowell ISD, Crystal City ISD, Cuero ISD, Cushing ISD, Cypress-Fairbanks ISD, Daingerfield-Lone Star ISD, Dalhart ISD, Dallas County Schools, Dallas ISD, Danbury ISD, Dawson ISD-Dawson County, Dawson ISD-Navarro County, Dayton ISD, De Leon ISD, Deer Park ISD, Del Valle ISD, Dell City ISD, Denton ISD, Denver City ISD, DeSoto ISD, Detroit ISD, Dew ISD, Deweyville ISD, Dickinson ISD, Dilley ISD, Dimmitt ISD, Divide ISD-Kerr County, Doss Consolidated CSD, Douglass ISD, Dripping Springs ISD, Dublin ISD, Dumas ISD, Eagle Mountain-Saginaw ISD, Eagle Pass ISD, Eanes ISD, Early ISD, East Central ISD, East Chambers ISD, Eastland ISD, Ector County ISD, Edcouch-Elsa ISD, Eden CISD, Edgewood ISD-Van Zandt County, Edinburg CISD, Edna ISD, El Campo ISD, Electra ISD, Elgin ISD, Elysian Fields ISD, Ennis ISD, Eula ISD, Eustace ISD, Everman ISD, Excelsior ISD, Fabens ISD, Fairfield ISD, Farmersville ISD,

Farwell ISD, Fayetteville ISD, Ferris ISD, Florence ISD, Floresville ISD, Flour Bluff ISD, Floydada ISD, Follett ISD, Forestburg ISD, Forestburg ISD, Fort Bend ISD, Fort Elliott CISD, Fort Sam Houston ISD, Fort Stockton ISD, Fort Worth ISD, Franklin ISD, Fredericksburg ISD, Freer ISD, Frenship ISD, Friendswood ISD, Friona ISD, Frisco ISD, Frost ISD, Gainesville ISD, Galena Park ISD, Galveston ISD, Garland ISD, Garner ISD, Garrison ISD, Gary ISD, Gatesville ISD, George West ISD, Gholson ISD, Giddings ISD, Gladewater ISD, Gladewater ISD, Glen Rose ISD, Godley ISD, Gold Burg ISD, Goliad ISD, Gonzales ISD, Goose Creek CISD, Goree ISD, Gorman ISD, Graford ISD, Graham ISD, Granbury ISD, Grand Prairie ISD, Grandview ISD, Granger ISD, Grapeland ISD, Grapevine-Colleyville ISD, Greenville ISD, Greenwood ISD, Gregory-Portland ISD, Groesbeck ISD, Gustine ISD, Hale Center ISD, Hallsville ISD, Hamilton ISD, Hamlin ISD, Hamshire-Fannett ISD, Happy ISD, Harlandale ISD, Harleton ISD, Harlingen CISD, Harper ISD, Harris County Department of Education, Hart ISD, Hartley ISD, Haskell ISD, Hawkins ISD, Hawley ISD, Hays CISD, Hearne ISD, Hemphill ISD, Hempstead ISD, Henderson ISD, Henrietta ISD, Hereford ISD, Hidalgo ISD, High Island ISD, Highland Park ISD-Dallas County, Highland Park ISD-Potter County, Hillsboro ISD, Hitchcock ISD, Holland ISD, Holland ISD, Holliday ISD, Honey Grove ISD, Houston ISD, Howe ISD, Hubbard ISD-Bowie County, Huckabay ISD, Huffman ISD, Hughes Springs ISD, Humble ISD, Hunt ISD, Huntington ISD, Huntsville ISD, Hurst-Euless-Bedford ISD, Hutto ISD, Hutto ISD, Idalou ISD, Industrial ISD, Ingleside ISD, Ingram ISD, Iola ISD, Iowa Park CISD, Ira ISD, Iraan-Sheffield ISD, Iredell ISD, Irion County ISD, Irving ISD, Italy ISD, Itasca ISD, Jacksboro ISD, Jacksonville ISD,

Jarrell ISD, Jefferson ISD, Jim Hogg County ISD, Jim Ned CISD, Joaquin ISD, Johnson City ISD, Joshua ISD, Jourdanton ISD, Judson ISD, Karnack ISD, Karnes City ISD, Katy ISD, Kaufman ISD, Keller ISD, Kelton ISD, Kendleton ISD, Kenedy County Wide CSD, Kenedy ISD-Karnes County, Kennard ISD, Kermit ISD, Kilgore ISD, Killeen ISD, Kingsville ISD, Kirbyville CISD, Klein ISD, Knippa ISD, Knox City-O'Brien ISD, La Feria ISD, La Grange ISD, La Joya ISD, La Marque ISD, La Porte ISD, La Poynor ISD, La Vega ISD, La Vernia ISD, Lackland ISD, Lago Vista ISD, Lake Dallas ISD, Lake Travis ISD, Lake Worth ISD, Lamesa ISD, Lampasas ISD, Laredo ISD, Leander ISD, Leggett ISD, Leon ISD, Leonard ISD, Levelland ISD, Leveretts Chapel ISD, Lewisville ISD, Lexington ISD, Liberty Eylau ISD, Liberty Hill ISD, Lindale ISD, Linden-Kildare CISD, Lingleville ISD, Lipan ISD, Little Cypress-Mauriceville CISD, Littlefield ISD, Livingston ISD, Llano ISD, Lockhart ISD, Lohn ISD, Lometa ISD, Longview ISD, Loop ISD, Loraine ISD, Lorena ISD, Lorenzo ISD, Los Fresnos CISD, Lovejoy ISD, Lovelady ISD, Lubbock ISD, Lueders-Avoca ISD, Lufkin ISD, Luling ISD, Lumberton ISD, Lyford CISD, Mabank ISD, Magnolia ISD, Manor ISD, Mansfield ISD, Marathon ISD, Marble Falls ISD, Marion ISD, Marlin ISD, Marshall ISD, Mart ISD, Martins Mill ISD, Martinsville ISD, Mason ISD, Matagorda ISD, Mathis ISD, Maud ISD, May ISD, McAllen ISD, McCamey ISD, McGregor ISD, McKinney ISD, McLean ISD, McMullen County ISD, Meadow ISD, Medina ISD, Megargel ISD, Melissa ISD, Menard ISD, Mercedes ISD, Meridian ISD, Merkel ISD, Mesquite ISD, Mexia ISD, Midland ISD, Midway ISD-McLennan County, Milano ISD, Mildred ISD, Miles ISD, Milford ISD, Mineola ISD, Mineral Wells ISD,

Mirando City ISD, Mission CISD, Monahans-Wickett-Pyote ISD, Montague ISD, Monte Alto ISD, Montgomery ISD, Moran ISD, Morgan Mill ISD, Motley County ISD, Mount Calm ISD, Mount Vernon ISD, Muleshoe ISD, Mullin ISD, Munday ISD, Murchison ISD, Nacogdoches ISD, Natalia ISD, Nazareth ISD, Needville ISD, New Boston ISD, New Braunfels ISD, New Caney ISD, New Deal ISD, New Diana ISD, New Home ISD, New Waverly ISD, Newcastle ISD, Newton ISD, Nocona ISD, Normangee ISD, North East ISD, North Lamar ISD, North Zulch ISD, Northside ISD-Bexar County, Northwest ISD, Novice ISD, Nueces Canyon CISD, Oakwood ISD, Odem-Edroy ISD, Olfen ISD, Olton ISD, Orangefield ISD, Ore City ISD, Paducah ISD, Paint Creek ISD, Palacios ISD, Palestine ISD, Palmer ISD, Pampa ISD, Panhandle ISD, Paradise ISD, Paris ISD, Pasadena ISD, Patton Springs ISD, Pawnee ISD, Pearland ISD, Pearsall ISD, Peaster ISD, Pecos-Barstow-Toyah ISD, Perryton ISD, Petrolia ISD, Pewitt ISD, Pflugerville ISD, Pharr-San Juan-Alamo ISD, Pittsburg ISD, Plains ISD, Plainview ISD, Plano ISD, Pleasant Grove ISD, Pleasanton ISD, Plemons-Stinnett-Phillips CISD, Ponder ISD, Port Aransas ISD, Port Arthur ISD, Port Neches-Groves ISD, Post ISD, Poteet ISD, Pottsboro ISD, Prairie Lea ISD, Prairie Valley ISD, Premont ISD, Presidio ISD, Pringle-Morse CISD, Progreso ISD, Prosper ISD, Quanah ISD, Quinlan ISD, Rains ISD, Ralls ISD, Randolph Field ISD, Ranger ISD, Rankin ISD, Raymondville ISD, Reagan County ISD, Red Oak ISD, Red Oak ISD, Rice CISD, Richardson ISD, Richland Springs ISD, Rio Grande City CISD, Rio Hondo ISD, Rio Vista ISD, Rivercrest ISD, Riviera ISD, Robinson ISD, Robstown ISD, Roby CISD, Rockdale ISD, Rockwall ISD, Rogers ISD, Roma ISD, Rotan ISD, Round Top-Carmine ISD, Runge

ISD, Rusk ISD, S and S CISD, Sabine ISD, Saint Jo ISD, Salado ISD, Sam Rayburn ISD, San Angelo ISD, San Antonio ISD, San Augustine ISD, San Benito CISD, San Diego ISD, San Elizario ISD, San Felipe-Del Rio CISD, San Marcos CISD, San Perlita ISD, San Saba ISD, San Vicente ISD, Sanford ISD, Santa Anna ISD, Santa Fe ISD, Santa Gertrudis ISD, Santa Maria ISD, Santo ISD, Savoy ISD, Schertz-Cibolo-Univ. Cty ISD, Schleicher County ISD, Seagraves ISD, Seguin ISD, Seminole ISD, Seymour ISD, Shamrock ISD, Sharyland ISD, Shelbyville ISD, Sheldon ISD, Shepherd ISD, Sherman ISD, Shiner ISD, Silsbee ISD, Silverton ISD, Sinton ISD, Skidmore-Tynan ISD, Slaton ISD, Slidell ISD, Slocum ISD, Smithville ISD, Socorro ISD, Somerville ISD, South San Antonio ISD, South Texas ISD, Southland ISD, Southside ISD, Southwest ISD, Spearman ISD, Splendora ISD, Spring Branch ISD, Spring Creek ISD, Spring Hill ISD, Spring ISD, Springlake-Earth ISD, Springtown ISD, Stafford Municipal School District, Stanton ISD, Star ISD, Stephenville ISD, Stockdale ISD, Stratford ISD, Strawn ISD, Sudan ISD, Sulphur Bluff ISD, Sulphur Springs ISD, Sundown ISD, Sunnyvale ISD, Sunray ISD, Sweeny ISD, Sweetwater ISD, Tarkington ISD, Tatum ISD, Taylor ISD, Temple ISD, Tenaha ISD, Terlingua CSD, Terrell County ISD, Terrell ISD-Kaufman County, Texarkana ISD, Thorndale ISD, Three Rivers ISD, Three Way ISD-Bailey County, Throckmorton ISD, Timpson ISD, Tioga ISD, Tolar ISD, Tom Bean ISD, Tomball ISD, Tornillo ISD, Trent ISD, Trenton ISD, Trinidad ISD, Trinity ISD, Troup ISD, Tulia ISD, Tuloso-Midway ISD, Turkey-Quitaque ISD, Tyler ISD, United ISD, Utopia ISD, Uvalde CISD, Valentine ISD, Valley Mills ISD, Valley View ISD-Hidalgo County, Van ISD, Van Vleck ISD, Venus ISD,

Veribest ISD, Vernon ISD, Victoria ISD, Vidor ISD, Vysehrad ISD, Waelder ISD, Wall ISD, Waller ISD, Warren ISD, Waskom ISD, Waxahachie ISD, Weatherford ISD, Webb CISD, Weimar ISD, Weslaco ISD, West Hardin County CISD, West ISD, West Orange-Cove CISD, West Sabine ISD, Westbrook ISD, Westhoff ISD, Wharton ISD, White Deer ISD, White Oak ISD, White Settlement ISD, Whiteface CISD, Whitehouse ISD, Whitharral ISD, Whitney ISD, Wichita Falls ISD, Willis ISD, Wills Point ISD, Wilmer-Hutchins ISD, Wimberley ISD, Windthorst ISD, Wink-Loving ISD, Winnsboro ISD, Winona ISD, Winters ISD, Woden ISD, Woodsboro ISD, Woodson ISD, Wortham ISD, Wylie ISD-Collin County, Yantis ISD, Ysleta ISD, Zapata County ISD, Zavalla ISD, Zephyr ISD